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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/502,285	02/11/2000	Sheldon F. Goldberg	3367-2-2	4950

22442 7590 08/04/2008
SHERIDAN ROSS PC
1560 BROADWAY
SUITE 1200
DENVER, CO 80202

EXAMINER

MOSSER, ROBERT E

ART UNIT	PAPER NUMBER
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3714

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08/04/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
09502285	2/11/00	GOLDBERG ET AL.	3367-2-2

SHERIDAN ROSS PC
1560 BROADWAY
SUITE 1200
DENVER, CO 80202

EXAMINER

ROBERT MOSSER

ART UNIT	PAPER
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3714	20080730
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Commissioner for Patents

The request for reconsideration of the IDS previously submitted on May 8th, 2002 is improper for failing to include therewith a submission of a new 1449. It appears that the previous examiner's acceptance of the references previously listed on the IDS of May 8th, 2002 was resultant of those not being included with the submission of the applicant's 1449 statement. Submission of the references after the previous examiner's consideration and propose a reconsideration of the IDS is improper because the original 1449 was defecient with regards to the inclusion of those specific references and therefore not proper according to the criteria of 37 cfr 1.97-1.98.

/Robert Mosser/
Examiner, Art Unit 3714